

OCT 12 2004

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PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

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EDWARD B. EVANS 1938-1971

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October 12, 2004

## FACSIMILE COVER SHEET

To: Examiner Jordan M. Lofdahl  
Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22213-1450

Fax: 703-872-9306

Enclosures:

Fax Cover Sheet containing Certificate of  
Facsimile Transmission (1 page)  
Transmittal containing Certificate of  
Facsimile Transmission (2 pages)  
Response and Amendment (13 pages)

From: Douglas A. Scholer  
Reg. No. 52,197

Re: U.S. Patent Application  
Serial No. 10/700,412  
Filed: November 4, 2003  
Applicant: Robert McClure et al.  
Art Unit: 3644  
Confirmation No.: 5783  
Our Ref: DBS/02

Pages: 16 (including cover sheet)

MESSAGE/COMMENTS  
OFFICIALCERTIFICATE OF FACSIMILE TRANSMISSION

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Judith L. Volk

  
Date

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OCT 12 2004

## PATENT

Att'y Docket No. DBS/02/262  
Confirmation No. 5783**CERTIFICATE OF FACSIMILE TRANSMISSION**

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Judith L. Volk  
Judith L. Volk

October 12, 2004  
Date

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert McClure et al.  
Serial No.: 10/700,412  
Filed : November 4, 2003  
For : Positional Blasting System

Art Unit: 3644  
Examiner: Jordan M. Lofdahl

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. ☒ Transmitted herewith is a Response and Amendment.
2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.  
☐ Enclosed is a verified statement to establish Small Entity status  
☒ Other than a Small Entity
3. The fee has been calculated as shown below:

**CALCULATION OF FEES**

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	28	minus	28	0	\$18	\$0.00
Independent Claims	7	minus	7	0	\$88	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					\$300	\$0.00
TOTAL FEE FOR CLAIMS:						\$0.00

- ☒ No additional fee for claims is required.

4. ☐ Attached is a check in the sum of \$\_\_\_\_\_ for additional claims.  
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$\_\_\_\_\_.
5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	<u>Ext. Mos.</u>	<u>Large entity</u>	<u>Small entity</u>
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 430.00	\$ 215.00
<input type="checkbox"/>	three months	\$ 980.00	\$ 490.00
<input type="checkbox"/>	four months	\$1,530.00	\$ 765.00
<input type="checkbox"/>	five months	\$2,080.00	\$1,045.00

Extension fee due with this request:

\$\_\_\_\_\_

Method of Payment:

Check enclosed in the amount of \$\_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.


(Check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_\_\_.
- OR**
- ☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
6. ☒ If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:

  
Douglas A. Scholer  
Reg. No. 52,197

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**Enclosed:**

Fax Cover Sheet containing Certificate of Facsimile Transmission (1 page)  
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PATENT

DBS/02  
Confirmation No. 5783**CERTIFICATE OF FACSIMILE TRANSMISSION**

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Judith L. Volk  
Judith L. Volk

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Applicant: Robert McClure et al.  
Serial No.: 10/700,412  
Filed: November 4, 2003  
For: Positional Blasting System

Art Unit: 3644  
Examiner: Jordan M. Lofdahl  
Atty. Docket No.: DBS/02

**RESPONSE AND AMENDMENT**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated July 12, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 9 of this paper.

Page 1 of 13  
Serial No. 10/700,412  
Response and Amendment dated October 12, 2004  
Reply to Office Action of July 12, 2004  
WH&E DBS/02  
K:\DBS\02\Amendment and Response to 7-12-04 OA.wpd